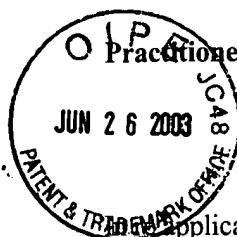


06-27-03

DAC  
PS



Practitioner's Docket No.: 1443.05

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Michael J. Scaggs  
Application No.: 10/035,919  
Filed: 10/18/2001  
For: Intra-Cavity Beam Homogenizer Resonator

Group No.: 2881  
Examiner: Unassigned  
Confirmation No.: 2164

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

Enclosed please find:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally having a Certificate of Mailing under 37 CFR § 1.10, dated June 26, 2003.

The Commissioner is authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 500745.

Very respectfully,

SMITH & HOPEN, P.A.

A handwritten signature in black ink, appearing to read "Anton J. Hopen".

Anton J. Hopen  
15950 Bay Vista Drive, Ste. 220  
Clearwater, FL 33760  
(727) 507-8558  
Attorneys for Applicant

RECEIVED

JUL 01 2003

OFFICE OF PETITIONS

**CERTIFICATE OF MAILING**

(37 C.F.R. § 1.10)

I HEREBY CERTIFY that this petition is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Mailing Label No. EV310905959US, addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 26, 2003.

Date: June 26, 2003

A handwritten signature in black ink, appearing to read "Deborah Preza".

Deborah Preza

(Transmittal—page 1)

JUN 26 2003



Practitioner's Docket No.: 1443.05

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Michael J. Scaggs**  
Application No.: **10/035,919** Group No.: **2881**  
Filed: **10/18/2001** Examiner: **Unassigned**  
For: **Intra-Cavity Beam Homogenizer Resonator** Confirmation No.: **2164**

**Mail Stop Petition**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

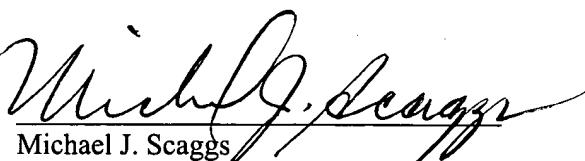
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**STATEMENT**  
(37 C.F.R. § 1.137(b))

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or document and any registration resulting therefrom.

Date: JUNE 23, 2003



Michael J. Scaggs



**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/035,919	10/18/2001	Michael J. Scaggs	1443.05

**CONFIRMATION NO. 2164**  
**ABANDONMENT/TERMINATION**  
**LETTER**



\*OC000000010172538\*

21901  
SMITH & HOPEN PA  
15950 BAY VISTA DRIVE  
SUITE 220  
CLEARWATER, FL 33760

06/22/2003 6DIRETA1 00000098 500745 10035919

01 FC:2202 135.00 DA  
02 FC:2201 64.00 DA

Date Mailed: 06/03/2003

**NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)**

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/04/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/30/2003 AWONDAF1 00000067 500745 10035919

02 FC:2001 241.00 DA 134.00 OP  
03 FC:2051 65.00 DA

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JUL 01 2003

**OFFICE OF PETITIONS**